



## STAFF REPORT ACTION REQUIRED

### 125, 129 & 131 O'Connor Dr and 1119 & 1121 Pape Avenue – Official Plan & Zoning Amendment Application – Final Report

<b>Date:</b>	August 28, 2015
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 29 – Toronto-Danforth
<b>Reference Number:</b>	14-178851 STE 29 OZ

## SUMMARY

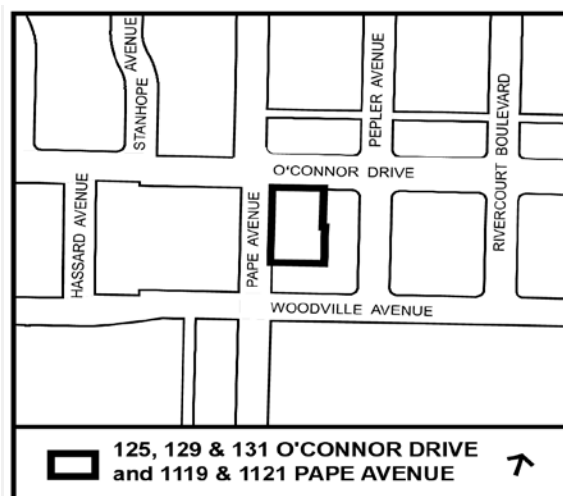
This application proposes a new two-storey retail/commercial building with a gross floor area of 1,985 square metres at 125, 129 & 131 O'Connor Drive and 1119 & 1121 Pape Avenue. A total of 19 vehicular parking spaces and 10 bicycle spaces will be provided.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law because the proposed building sensitively deploys height and massing on site, mitigates noise and traffic impacts, and is compatible with the surrounding *Neighbourhood*.

## RECOMMENDATIONS

**The City Planning Division recommends that:**

1. City Council amend the Official Plan, for the lands at 125, 129 and 131 O'Connor Drive and 1119 and 1121 Pape Avenue, substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7 to the report (August 28, 2015) from the Director, Community Planning, Toronto and East York District.



2. City Council amend Zoning By-law 6752 of the former Borough of East York as amended, and the City of Toronto Zoning By-law 569-2013 as amended, for the lands at 125, 129 and 131 O'Connor Drive and 1119 and 1121 Pape Avenue, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment Nos. 8 and 9 to the report (August 28, 2015) from the Director, Community Planning, Toronto and East York District.
3. City Council require that the owner shall pay for and construct the improvements to the existing municipal infrastructure required to service the Owner's Lands, as determined by and to the satisfaction of the Executive Director, Engineering and Construction Services.
4. Before the introduction of Bills, City Council require the owner to submit a revised Functional Servicing Report and Stormwater Management Report to the satisfaction of the Executive Director, Engineering and Construction Services.
5. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

The preliminary report on this application can be found at:

<http://www.toronto.ca/legdocs/mmis/2014/te/bgrd/backgroundfile-71575.pdf>.

### **ISSUE BACKGROUND**

#### **Original Proposal**

The application proposed a 2-storey commercial building with a gross floor area of 1,995 square metres, consisting of approximately 888 square metres of retail uses on the ground floor, 300 square metres of retail and storage uses in the basement/lower level and 678 square metres of business professional offices on the second floor. A day nursery was contemplated on the second floor. The proposed building had a floor space index of 0.95 times the lot area. A total of 19 vehicular parking spaces, 4 bicycle parking spaces and one type "B" loading space were proposed.

The proposed building height was 10.6 metres, with a mechanical unit above having an additional height of approximately 3.5 metres. The proposed site access was by a two-way, 6 metre driveway off Pape Avenue and a one-way exit onto O'Connor Drive.

The proposed building was set back 0.5 metres from the north property line (O'Connor Drive), 2 metres from the west property line (Pape Avenue), 20 metres from the south property line (area containing parking spaces) and 5.5 metres from the east property line. The second storey steps back from the residential area to the east of the subject property.

## **Revised Proposal**

On July 30, 2015, the applicant submitted a revised proposal maintaining the original number of storeys (2) with approximately 1,017 square metres of retail uses on the ground floor, 678 square metres of business professional offices on the second floor, and 300 square metres of ancillary uses in the basement. The application proposes a building height of 11 metres with a setback of approximately 1.45 metres and 1.96 metres from the O'Connor Drive and Pape Avenue property lines, respectively. A building setback of 23.66 metres from the south property line is proposed. 19 vehicular parking spaces as well as 10 bicycle parking spaces are proposed. The proposal maintains a density of 0.95 times the lot area and a second storey stepback from the residential area to the east.

The following changes are part of the revised proposal:

### **Uses and Operations**

- A Day Nursery and a Tattoo Parlour as part of a Personal Service Shop have been eliminated from the list of permitted uses being sought.
- Garbage pickup and loading activities (including “bottle drops”) will be restricted between 8 am to 9 pm.
- Garbage (including medical waste from a medical centre) will be stored within the building at all times except at pick up.
- Roof signage has been eliminated.
- New benches providing a seating area along O'Connor Drive have been introduced.

### **Built Form:**

- The building façade has been modified to provide a mix of materials and colours (stone base, red brick, other accent materials and colours).
- The placement of windows and entrances have been coordinated to provide appropriate proportion on the facades.
- At the northwest corner of the building, the second floor overhang has been removed and replaced with a chamfered corner and articulated with a raised parapet and metal portal feature to give prominence to the corner.
- The east façade has been articulated with a variety of brick treatment to eliminate the appearance of a blank wall.
- Signage will be mainly located on the Pape Avenue and O'Connor Drive facades.

### **Building Setbacks & Fencing:**

- The building setback has increased from 0.46 metres to 1.5 metres along O'Connor Drive providing improved sight lines for the existing houses/driveways to the east of the proposed development.
- The building setback from the east property line has been reduced from 5.5 metres to 2 metres.
- The driveway along the east property line intended to provide egress from the site has been eliminated.
- A seating area and additional landscaping has been provided along O'Connor Drive.

- The proposed building has been further set back at the northeast corner aligning it with the houses to the east, with additional landscaping provided in this area.
- A 2.4 metre high privacy fence is proposed along the eastern property boundary (previous proposed fence was 1.8 metres high).

The applicant has also undertaken other changes regarding onsite tree retention, site access and circulation, vehicular and bicycle parking spaces, and site lighting, which are discussed in the comments section of this report.

## **Site and Surrounding Area**

The site is located on the southeast corner of Pape Avenue and O'Connor Drive. The rectangular shaped lot has an area of 2,104 square metres with 35.15 metres of frontage on O'Connor Drive. Two, single-family detached buildings (with associated garages) currently occupy the northeast portion of the site (129 & 131 O'Connor Drive). The rest of the lands (125 O'Connor Drive and 1119 & 1121 Pape Avenue) were previously used as a gas station.

Land uses surrounding the site are as follows:

North: Two-storey commercial plaza and residential buildings in the form of detached and semi detached buildings.

South: Royal Canadian Legion building and the East York Community Recreation Centre.

East: Low rise residential area with detached and semi-detached buildings.

West: A two-storey City of Toronto Emergency Medical Service (EMS) facility, and detached and semi detached buildings located further west.

## **Provincial Policy Statement and Provincial Plans**

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including: the orderly development of safe and healthy communities; the conservation of features of significant architectural, cultural and historical interest; the adequate provision of employment opportunities; and the appropriate location of growth and development.

The Provincial Policy Statement (PPS), 2014, provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities by accommodating a range and mix of uses; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of

conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff have reviewed the proposed development with regard to Section 2 of the *Planning Act*, for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The property is designated *Neighbourhoods* in the Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

Section 4.1 of the Official Plan includes policies that pertain to the introduction of new small-scale retail, service or office uses in *Neighbourhoods*. Policy 4.1.3 states that new small-scale retail, service and office uses that are incidental to and support *Neighbourhoods* and that are compatible with the area and do not adversely impact adjacent residences may be permitted through an amendment to the Zoning By-law, where required, on major streets, with the exception of portions of streets which have reversed lot frontages. To maintain the residential amenity of *Neighbourhoods*, new small-scale retail, service and office uses will:

- (a) serve the needs of area residents and potentially reduce local automobile trips;
- (b) have minimal noise, parking or other adverse impacts upon adjacent or nearby residents; and
- (c) have a physical form that is compatible with and integrated into the *Neighbourhood*.

Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- patterns of streets, blocks and lanes, parks and public building sites;
- size and configuration of lots;
- heights, massing, scale and dwelling type of nearby residential properties;
- prevailing building type(s);
- setbacks of buildings from the street or streets;
- prevailing patterns of rear and side yard setbacks and landscaped open space;
- continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- conservation of heritage buildings, structures and landscapes.

Additionally, Policy 4.1.5 states that no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

Built Form policies in section 3.1.2 of the Official Plan includes development criteria pertaining to the location and organization of new development to fit with its existing and/or planned context, location and organization of vehicular parking, vehicular access, service areas and utilities to minimize their impacts on surrounding properties and to improve the safety and attractiveness of adjacent streets. In addition, new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets.

The Official Plan in section 3.5.3 recognizes that the pattern of retail activity has evolved over time and includes a full spectrum of retail forms. However, new retail development must also suit the local context and the Plan's objectives. Retail stores are permitted on neighbourhood arterials to reduce auto trips and serve our convenience needs, but they must fit with the physical form and not negatively impact abutting properties.

This development proposal has been evaluated against all the relevant policies of the Official Plan. The Toronto Official Plan is available on the City's website at:  
[www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

## **Zoning**

### **Former Borough of East York Zoning By-law 6752**

The East York Zoning By-law zones the property R1C – Low Density Residential, which permits residential uses, City-owned facilities, day nurseries in community centres, or in public libraries, schools and churches that existed at the date of the passing of the By-law. Residential uses are permitted in the form of single detached dwellings and semi-detached dwellings. Institutional buildings, buildings and structures accessory to the above-noted building types are also permitted. This zoning category permits a maximum height of 8.5 metres, maximum building coverage of 33%, maximum building length of 16.75 metres and a maximum total density of 0.75 times the lot area.

### **City of Toronto Zoning By-law 569-2013**

The property is subject to the new harmonized City of Toronto By-law 569-2013, which was enacted by City Council on May 8, 2013. The harmonized City-wide Zoning By-law has been appealed and is now before the Ontario Municipal Board. No hearing dates have been set.

Under the new harmonized City-wide Zoning By-law, the site is zoned Residential Detached (RD) with similar performance standards noted above in By-law 6752. The following conditional uses are also permitted: an Ambulance Depot, Cogeneration Energy, Community Centre, Day Nursery, Fire Hall, Group Home, Home Occupation, Library, Municipal Shelter, Place of Worship, Police Station, Private Home Daycare, Public Utility, Renewable Energy, Secondary Suite, Seniors Community House and Transportation Use.

## **Site Plan Control**

The development is subject to Site Plan Control. An application for Site Plan Control has been submitted by the applicant and has been reviewed concurrently with the Official Plan and Zoning amendment application.

## **Reasons for Application**

### **Official Plan**

The proposal intends to redevelop the currently vacant land that was occupied by two houses and a gas station (non-residential) with retail, service and office uses through an amendment to the Official Plan because the proposed size of approximately 2,000 square metres is relatively larger than the typical retail/commercial establishments in the *Neighbourhood*. An Official Plan amendment application is required for the size/scale of the proposed retail, service and office uses, which are not permitted on the lands.

### **Zoning By-Law Amendment**

The Zoning By-law does not permit retail, service and office uses on the subject property. As such, a Zoning By-Law amendment is required for the proposed use as well as the building height, building coverage, building length, and density of the development. The proposed height of 11 metres and coverage of 48.3% exceed the maximum permitted of 8.5 metres and 35 % respectively. The proposed building length of 38 metres exceeds the maximum permitted of 16.75 metres. The proposed density of 0.95 times the lot area exceeds the maximum permitted of 0.75 times the lot area. The above noted zoning standards apply to a permitted residential building. Furthermore, the proposed number of parking spaces (19) does not meet the minimum requirements for commercial uses in the Zoning By-Law.

### **Community Consultation**

A Community Meeting was held by Planning staff on February 5, 2015. The concerns expressed at that meeting related to the built form, density, height, privacy, parking on local streets, traffic, tree protection, environmental remediation, site access and servicing, and the overall function of the site. All of the above noted issues are discussed in the Comments section of this report.

### **Working Group Meetings**

Following the Community Consultation meeting, the Planning staff organized a working group per Toronto and East York Community Council directions to further evaluate the proposed development and provide recommendations. Three working group meetings were held in March, April and July 2015 to further discuss the issues noted during the community consultation meeting.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

This application is consistent with the Provincial Policy Statement (PPS) direction of achieving growth and urban vitality, access to the pedestrian network and public transit while making efficient use of existing infrastructure. The PPS supports the development of vacant and/or underutilized lots within previously developed areas as well as the redevelopment of brownfields.

The proposal conforms to the Growth Plan for the Greater Golden Horseshoe for the following reasons. The redevelopment of the vacant brownfield site will result in a commercial land use that supports the existing neighbourhood. The proposal also provides appropriate transition in height, massing and scale to ensure compatibility with nearby houses as well as other non-residential uses at the other corners of the Pape Avenue and O'Connor Drive intersection.

## **Land Use**

The Official Plan permits new small-scale retail, service and office uses that are incidental to and support *Neighbourhoods* and are compatible with the area and provided it does not adversely impact adjacent residences. The Official Plan in section 3.5.3 recognizes that new retail development must also suit the local context and the Plan's objectives.

The height and massing of the proposed building has been sensitively deployed on the site with a combination of setbacks and stepbacks to minimise impacts on abutting properties. The proposed mix of ground floor retail and second floor office and service uses supports local pedestrian activity and public transit, contributes to the reduction of local auto trips. The supply of vehicular and bicycle parking, traffic, servicing and overall function of the site is discussed in subsequent sections of this report. Unlike other *Neighbourhoods* where the proposal may be deemed inappropriate, the location of the site on a corner lot at the intersection of two major streets (Pape Avenue and O'Connor Drive), the existing commercial uses to the north and the proximity to Pape Village commercial area provide a suitable context for the proposal through an amendment of the Official Plan. For these reasons, Planning staff are of the view that the proposed retail/commercial use in the form of a two storey building is compatible with the *Neighbourhood*.

## **Density**

The Zoning By-law permits a maximum gross floor area (density) of 0.75 times the lot area, a maximum building coverage of 33% and a maximum building length of 16.75 metres for a permitted building under the residential zoning category. The purpose of having density restrictions is to guide overall scale and ensure that there is servicing capacity and other infrastructure to support development. The Official Plan land use designation of the site and surrounding area permits infill development that is compatible with and minimises impacts on the surrounding area and can be supported by the existing infrastructure. The application proposes a density of 0.95 times the lot area, a building coverage of 48% and a building length of 39 metres. The proposal also employs variety of setbacks and stepbacks to articulate the massing and scale to ensure that the development fits on the site and its context. Development Engineering staff have advised that the existing municipal infrastructure has enough capacity to support the proposed development. Planning staff are of the view that the proposed density is acceptable.

## **Height**

The subject property is located on a corner lot and its immediate context consists of a variety of buildings comprising: detached and semi-detached houses, a two storey commercial plaza, a two-storey Emergency Medical Services building, a place of worship, and a two storey building (Legion). The existing zoning standards which apply to residential buildings permit a maximum



height of 8.5 metres. Although the proposed building height of 11 metres is taller than other buildings in the immediate area, it employs a series of setbacks and setbacks to ensure that it is appropriate for the site, minimizes impacts and fits within its context (see height map in draft zoning by-law). The overall building height is less than the O'Connor Drive and Pape Avenue right-of-way width of 20 metres, contributing to a comfortable public realm condition.

On the east side where the proposed building is adjacent to single-family residential buildings, the height is stepped down from 11 metres to approximately 7 metres to ensure compatibility and minimize impacts (see height map in draft zoning by-law). Roof top mechanical units are permitted to project beyond the height limit, provided that their height is limited and they are appropriately set back from all sides at a sufficient distance to minimize its impact. In this instance, the mechanical roof top units with a height of approximately 3.5 metres have been situated near west away from the adjacent residential houses to the east and they have been screened with sound proof barriers to minimize noise impacts.

## **Built Form**

The Official Plan identifies that developments may be considered not only in terms of the individual building and site, but also in terms of how that building and site fit within the context of the neighbourhood and the City. The original proposal had minimal articulation of its massing with City staff and residents expressed concerns with how it fits on the site and the need to establish a suitable built form relationship with nearby buildings to the east and provide prominence at the intersection of O'Connor Drive and Pape Avenue.

The revised plans show a series of setbacks and setbacks to provide better articulation of the massing. This mitigates impact and supports transition to lower scale development. The building setback has increased to 1.45 metres along O'Connor Drive to address sight line issues from the existing houses/driveways to the east. The proposed building is set back by approximately 2 metres along Pape Avenue. The setbacks from O'Connor Drive and Pape Avenue allows for landscaping and street furniture to be located between the building face and the curb line. An additional setback has been provided at the northeast corner of the building to bring it into alignment with the houses to the east. Landscaping has been provided in this area to reinforce transition to the houses.

At the northwest corner of the proposed building, the second floor overhang has been removed and replaced with a chamfered corner and articulated with a slightly raised parapet and metal portal feature to give prominence to the intersection at Pape Avenue and O'Connor Drive. The building façade has been modified to provide a mix of materials and colours (stone base, red brick, other accent materials and colours). The entrances and windows of the building have been proportionally placed on the facades to provide better symmetry and balance. The east façade has been articulated with patterned brick treatment to eliminate the appearance of a blank wall. On the south side, the application maintains parking spaces providing a buffer from the Legion building to the south.

The siting and use of setbacks/stepbacks to sculpt the proposed 2-storey development is in keeping with the Built Form policies in Chapter 3.1.2 and the development criteria in *Neighbourhoods*, in section 4.1 of the Official Plan.

## **Sun & Shadow**

The Built Form policies of the Official Plan in Chapter 3.1.2.3(e) state that new development will limit its impact on neighbouring streets, parks, open spaces and properties by adequately limiting any resulting shadowing on neighbouring streets, properties and open spaces, having regard for the varied nature of such areas.

The applicant submitted shadow studies for the 2-storey building on March 21<sup>st</sup>/June 21<sup>st</sup>/September 21<sup>st</sup> in response to concerns expressed by members of the working group. Due to the north-south orientation of the proposed building and the relatively moderate building height, shadows were cast on Pape Avenue and O'Connor Drive in the morning and early afternoon, and limited shadows in the evening on adjacent buildings to the east during the spring and fall equinoxes. The shadows cast by the proposed development are minimal and acceptable.

## **Commercial Signage**

Members of the working group suggested appropriate placement of signage on the subject property to mitigate impacts. Accordingly, the revised plans show no signage on the east façade and limited signage on the southwest corner of the building. Signage will be located primarily on the Pape Avenue and O'Connor Drive facades. The location of the signage on the proposed building will be secured as part of the conditions of site plan approval.

## **Noise & Privacy**

The applicant provided City staff with a Noise Study to support the proposed development. The study indicates that apart from road traffic, noise will be from stationary sources such as the roof top mechanical equipment and the loading area during times of operation. In order to mitigate the impacts of noise on the neighbourhood, the consultant's report proposes "L" shaped sound screens for the roof top mechanical equipment. To mitigate the impacts of noise from the loading bay during loading, signage will be provided to prohibit idling of trucks and the times of loading will be limited to 8 am and 9 pm. The consultant's report concludes that implementation of the above noted measures should mitigate impacts on the neighbourhood. The applicant is agreeable to conditions that restricts the time of loading. All of the above noted noise mitigation measures will be secured through Site Plan Approval.

In response to the comments at the community consultation and working group meetings, the applicant will provide a 2.4 metre high wooden fence along the eastern property boundary for privacy purposes. The previous proposed fence was 1.8 metres high. The applicant will obtain the necessary approvals for the proposed 2.4 metre high fence.

## **Tree Preservation**

Urban Forestry staff have reviewed the development plans and tree preservation plans to determine the impact on any existing mature trees. The proposal originally contemplated the removal of a mature red oak tree located on the southeast corner of the site. Following consultations with City staff and the Working Group, the applicant decided to maintain the red oak tree with appropriate measures put in place to ensure its survival. The application also proposes 3 new street trees along Pape Avenue and 4 trees along O'Connor Drive. Conditions ensuring the maintenance of trees on the property will form part of the approval of site plan. The owner will be required to obtain the necessary permits prior to removing any other trees.

## **Streetscape**

The proposal has the opportunity to create a landscaped pedestrian-oriented street edge along O'Connor Drive and Pape Avenue. The boulevard will have a width of approximately 5 metres on both streets after redevelopment allowing for an edge zone, tree planting and street furnishing zone, and a pedestrian clearway. The application proposed improved landscaping with the planting of 4 trees along O'Connor Drive and 3 trees along Pape Avenue. As indicated previously, the northeast corner of the building has been chamfered and articulated with a parapet and architectural elements (metal portal feature) to give prominence to the corner. Additional landscaping has been provided at the northwest corner of the site to reinforce the transition of the built form and improve sightlines from the adjacent residential buildings. A seating area has been provided near the entrance at the northwest corner of the site. The proposed exterior building materials to be secured in the site plan agreement contemplate incorporating glass, architectural stone and brick. All of the treatments, materials and streetscape improvements will be secured through Site Plan Approval.

## **Traffic Impact, Parking & Site Access**

Section 2.4 of the Official Plan addresses transportation and land use planning and focuses on the efficient use of existing infrastructure, reducing automobile dependency and congestion, make better use of off street parking and making transit, cycling and walking more attractive modes of transportation when planning for new development.

The applicant submitted a Traffic Impact Study that reflects good levels of service during the morning and afternoon peak hours. The study concludes that the projected site traffic will have minimal impacts on the area and will be acceptably accommodated on the adjacent road network. Transportation Services staff have reviewed the study and concur with the conclusion.

The application proposes 19 parking spaces to serve the development, whereas the Zoning By-law requires 30 parking spaces under "Other Areas" which applies to the subject property. The Traffic Study provided by the applicant opines that the proposed use is similar to the retail/commercial uses in the nearby Pape Village and generates a similar volume of traffic. As such, the parking rate/the required number of parking spaces should be similar. For this reason, 19 parking spaces are proposed in compliance with the requirement for "Policy Area 4" which applies to the nearby Pape Village. Transportation Services staff have reviewed the parking supply and concur with the conclusion in the report.

The proposal will provide 10 bicycle parking spaces to be located along the O'Connor Drive and Pape Avenue frontages. City staff will continue working with the applicant to improve the location and organization of the bicycle spaces during site plan approval.

Access and egress from the site will be via a two-way driveway off Pape Avenue. The previous plan showed a one-way egress from the site off O'Connor Drive. The proposal will provide one type "B" loading space to service the proposed development. City Engineering staff have requested that the applicant provide revised plans confirming there will be no difficulties entering or exiting the type "B" loading space.

## **Servicing**

The applicant submitted a Functional Servicing Report and a Stormwater Management Report in support of the proposed development. Development Engineering staff have expressed a number concerns with the analysis and assumptions made in the reports and requested revisions.

In light of the above, City staff recommend that the owner submits the above noted reports and plans for review and approval by Development Engineering staff, prior to the introduction of the necessary Bills at City Council. The required reports will not result in any revisions to the standards proposed in the draft Zoning By-law.

The City does not provide garbage or recycling collection services to large scale commercial/retail developments. Garbage collection will be provided by a private company. In view of concerns expressed by members of the working group, the applicant is in agreement that garbage pickup and loading activities (including “bottle drops”) will be undertaken between the hours of 8 am to 9 pm. Medical waste from the proposed medical centre will be stored within the building at all times. The restrictions noted above will form part of the conditions for site plan approval. City staff will ensure that the storage collection and disposal of waste meets all applicable laws and legislation.

## **Land Remediation/Environmental Clean-Up**

The applicant has provided a Phase Two Environmental Site Assessment report (ESA) for the subject lands. The ESA evaluated the subsoil and groundwater quality at the site, particularly in the areas which had been previously excavated (remediated) for the presence of environmental contaminants. The ESA concluded that there were no impacts of Volatile Organic Compounds (VOC), Polyaromatic Hydrocarbons (PAHs), Petroleum Hydrocarbon Compounds (PHC), Metal and Inorganics in the selected soils samples. The report also noted that there were no exceedances of VOC, PHC, or PAH in the groundwater samples from the monitoring wells. The applicant is required to submit a record of site conditions when a building permit application is filed with the City. The ESA report was made available to members of the Working Group and has been filed with the Ministry of Environment.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest parkland provision level and in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application proposes a commercial building having a gross floor area of 1,985 square metres on a total site area of 2,104 square metres. At the alternative rate of 10% for sites less than 1 hectare specified in the By-law 1020-2010, the parkland dedication would be 0.021 hectares or 2.1% of the site area. The parkland dedication requirement for the development would be approximately 44 square metres. The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as a 44 square metre park would not be of

a useable size and the site would be encumbered by the proposed building. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

## **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. Applicable TGS performance measures will be secured through the Site Plan Approval process.

## **Conclusion**

The proposed two storey commercial building is compatible with the *Neighbourhood* because the massing has been deployed sensitively to mitigate impacts on abutting properties. In addition, the issues pertaining to noise, tree protection, environmental land remediation, parking supply, traffic impacts and overall post-development function of the site have been addressed. As such, this report recommends approval of the application to amend the Official Plan and Zoning By-law identified in attachments 7, 8 and 9 of this report.

## **CONTACT**

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## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

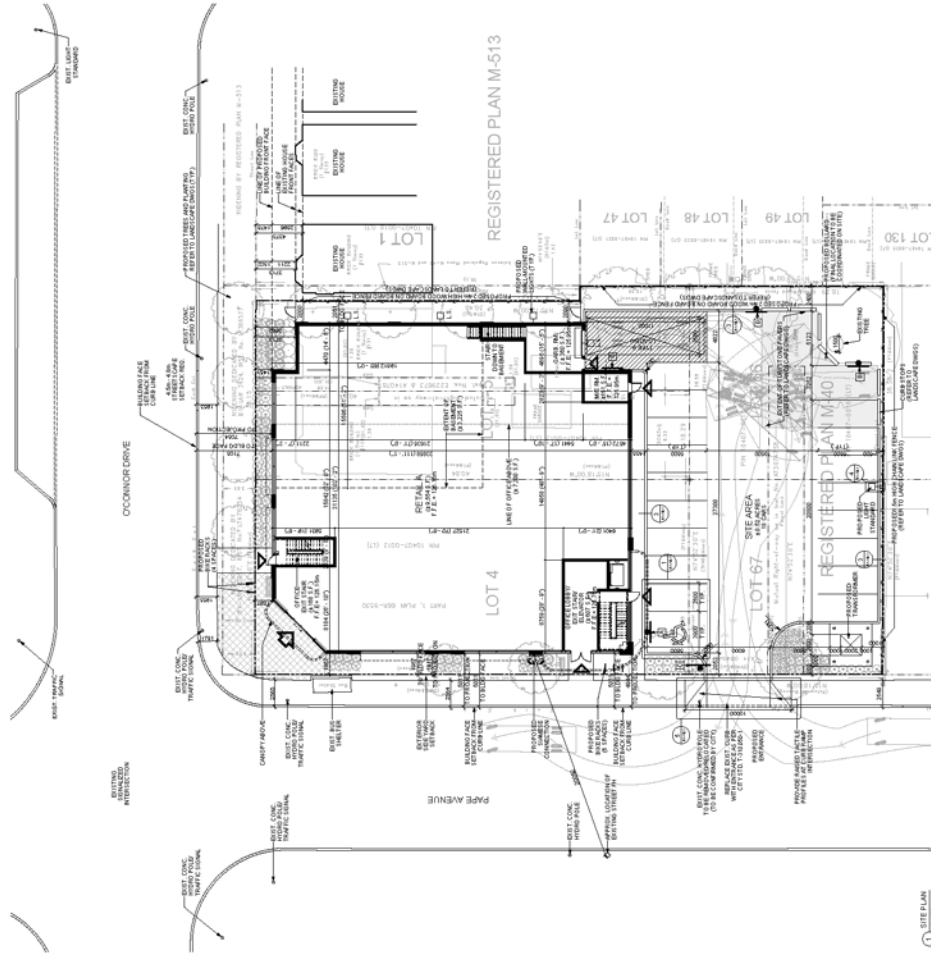
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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: North & South Elevations  
Attachment 3: East & West Elevations  
Attachment 4: Zoning  
Attachment 5: Official Plan  
Attachment 6: Application Data Sheet  
Attachment 7: Draft Official Plan Amendment

- Attachment 8: Draft Zoning By-law Amendment to By-law 6752  
Attachment 9: Draft Zoning By-law Amendment to By-law 569-2013

# Attachment 1: Site Plan



## Site Plan

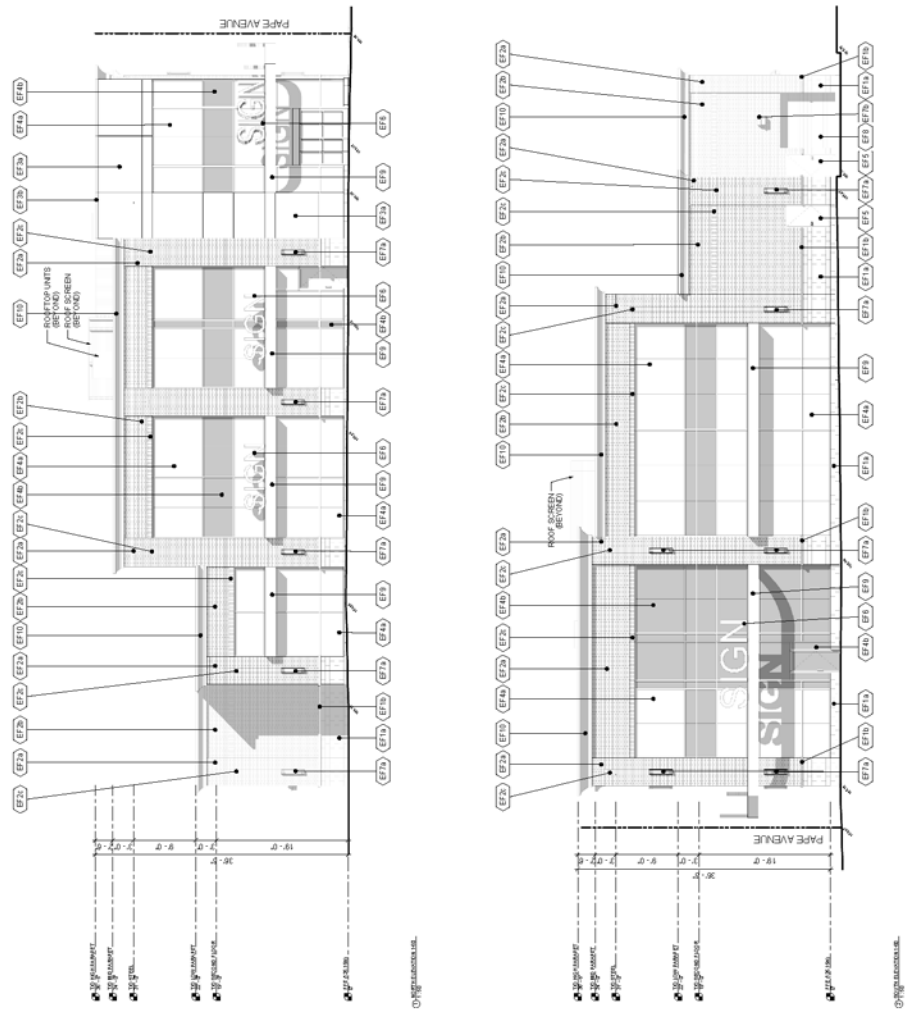
Applicant's Submitted Drawing

Not to Scale  
08/31/2015

125, 129 & 131 O'Connor Drive  
and 1119 - 1121 Pape Avenue

File # 14\_178851\_STE 29.0Z

Attachment 2: North & South Elevations



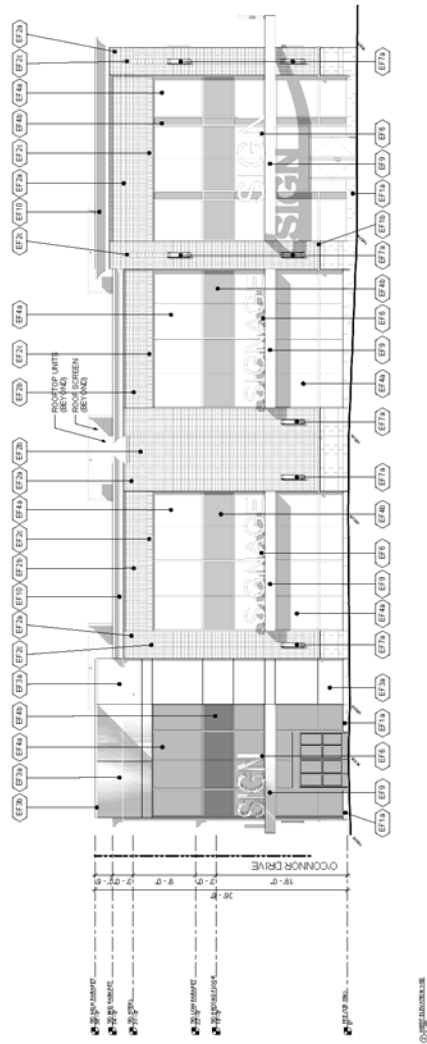
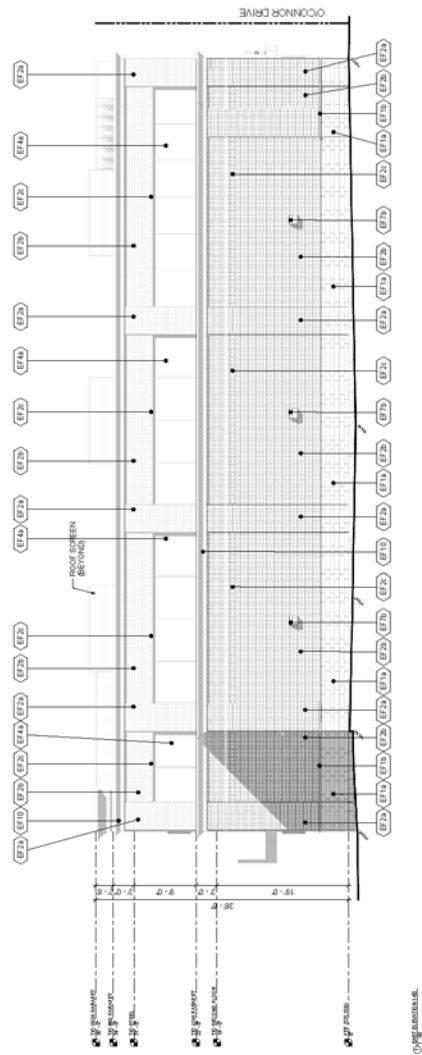
North and South Elevations  
Applicant's Submitted Drawing  
Not to Scale  
08/31/2015

125, 129 & 131 O'Connor Drive  
and 1119 - 1121 Pape Avenue

File # 14\_178851\_STE-29.0Z



Attachment 3: East & West Elevations



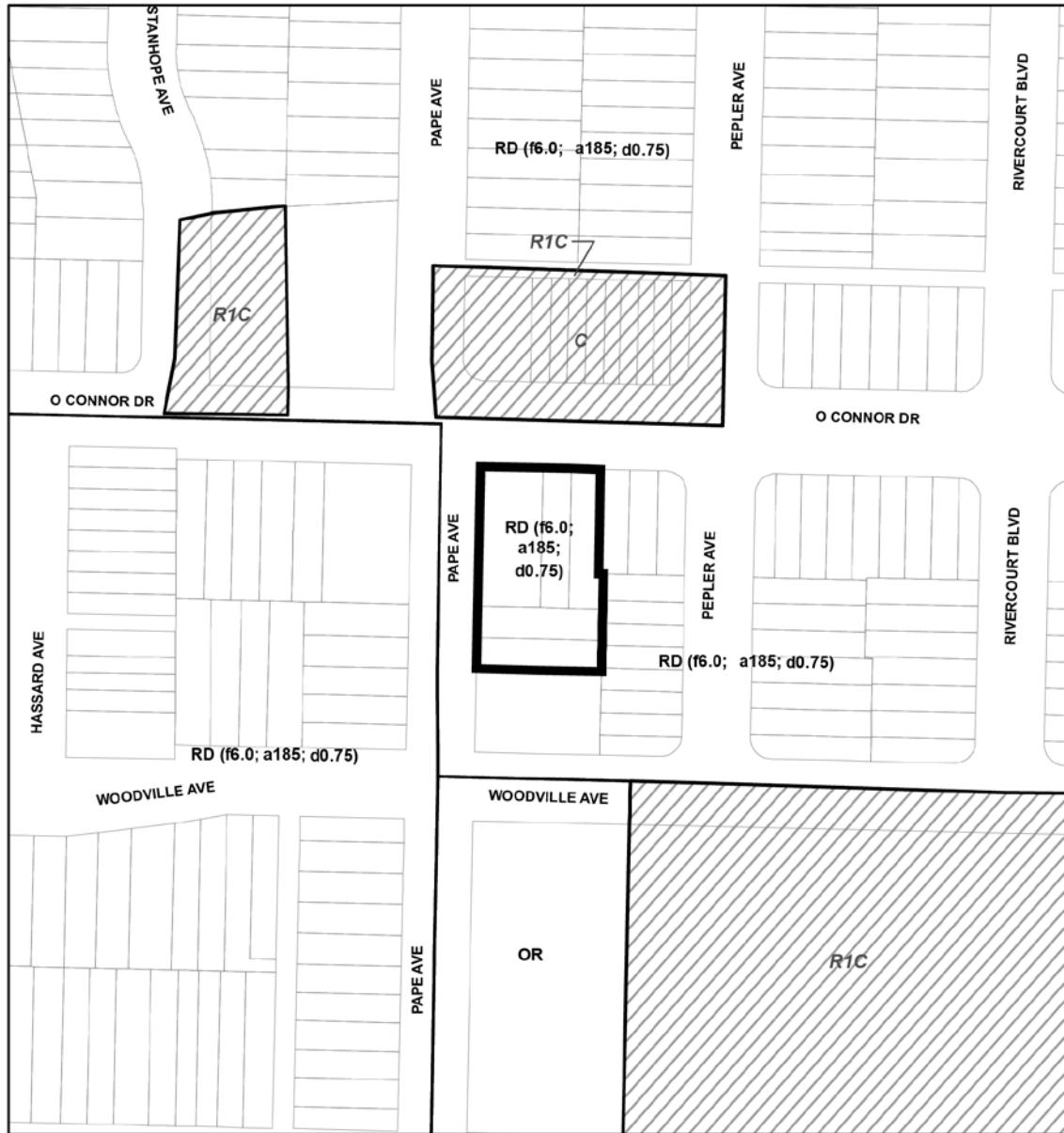
**East and West Elevations**  
Applicant's Submitted Drawing

Not to Scale  
08/31/2015

**125, 129 & 131 O'Connor Drive  
and 1119 - 1121 Pape Avenue**

File # 14\_178851\_STE 29.0Z

## Attachment 4: Zoning



125, 129 & 131 O'Connor Drive and 1119 & 1121 Pape Avenue

Zoning By-law 569-2013

File # 14 178851 STE 29 OZ



Location of Application

RD Residential Detached

OR Open Space Recreation



See Former Borough of East York Bylaw No. 6752

C Commercial

R1C Low Density Residential



Not to Scale  
Extracted: 07/08/2014

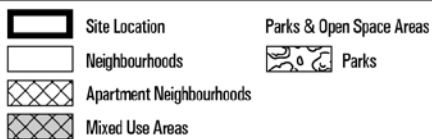
## Attachment 5: Official Plan



**Toronto** City Planning  
Extract from Official Plan

125, 129 & 131 O'Connor Drive and  
1119 & 1121 Pape Avenue

File # 13 178851 STE 29 0Z



↑  
Not to Scale  
07/08/2014

## Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	14 178851 STE 29 OZ
Details	OPA & Rezoning, Standard	Application Date:	June 23, 2014
Municipal Address:	125, 129 & 131 O'Connor Drive and 1119 & 1121 Pape Avenue		
Location Description:	PLAN M40 LOT 4 RP 66R9530 PART 1 **GRID S2903		
Project Description:	An Official Plan Amendment and the Rezoning application for a two-storey commercial building with a gross floor area of 1,985 square metres on the subject lands.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Macnaughton Hermsen Britton Clarkson (MHBC) Planning Ltd		Turner Fleischer	2315594 Ontario Inc.

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision: No
Zoning:	R1C/RD	Historical Status: No
Height Limit (m):	8.5	Site Plan Control Area: Yes

### PROJECT INFORMATION

Site Area (sq. m):	2,104	Height:	Storeys:	2	
Frontage (m):	35.2		Metres:	11	
Depth (m):	59.2				
Total Ground Floor Area (sq. m):	1,017				<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	19	
Total Non-Residential GFA (sq. m):	1,985		Loading Docks	1	
Total GFA (sq. m):	1,985				
Lot Coverage Ratio (%):	48				
Floor Space Index:	0.95				

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:			<b>Above Grade</b>	<b>Below Grade</b>
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	888	300
1 Bedroom:	0	Office GFA (sq. m):	678	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

**CONTACT: PLANNER NAME: Francis Kwashie, Planner**  
**TELEPHONE: 416-392-1306**

## **Attachment 7: Draft Official Plan Amendment**

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To adopt an amendment to the Official Plan  
for the City of Toronto  
respecting the lands known municipally in the year 2014, as  
125, 129 & 131 O'Connor Dr and 1119 & 1121 Pape  
Avenue**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No. ~~~ to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

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**AMENDMENT NO. 323 TO THE OFFICIAL PLAN**

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2014 AS**  
**125, 129 & 131 O'CONNOR DRIVE AND 1119 & 1121 PAPE**  
**AVENUE**

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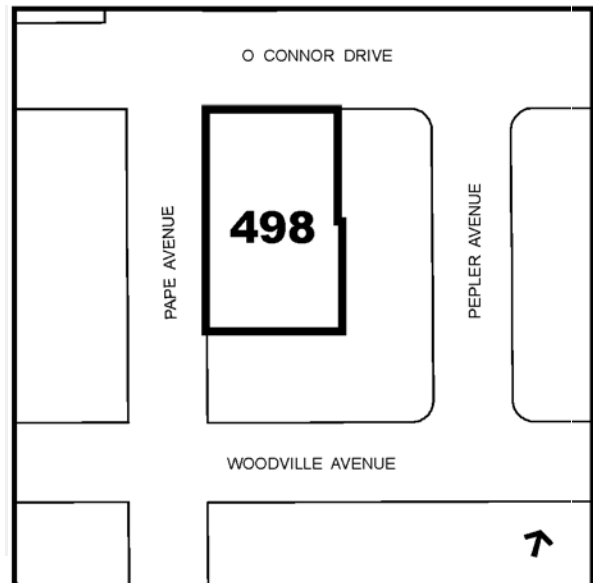
The Official Plan of the City of Toronto is amended as follows:

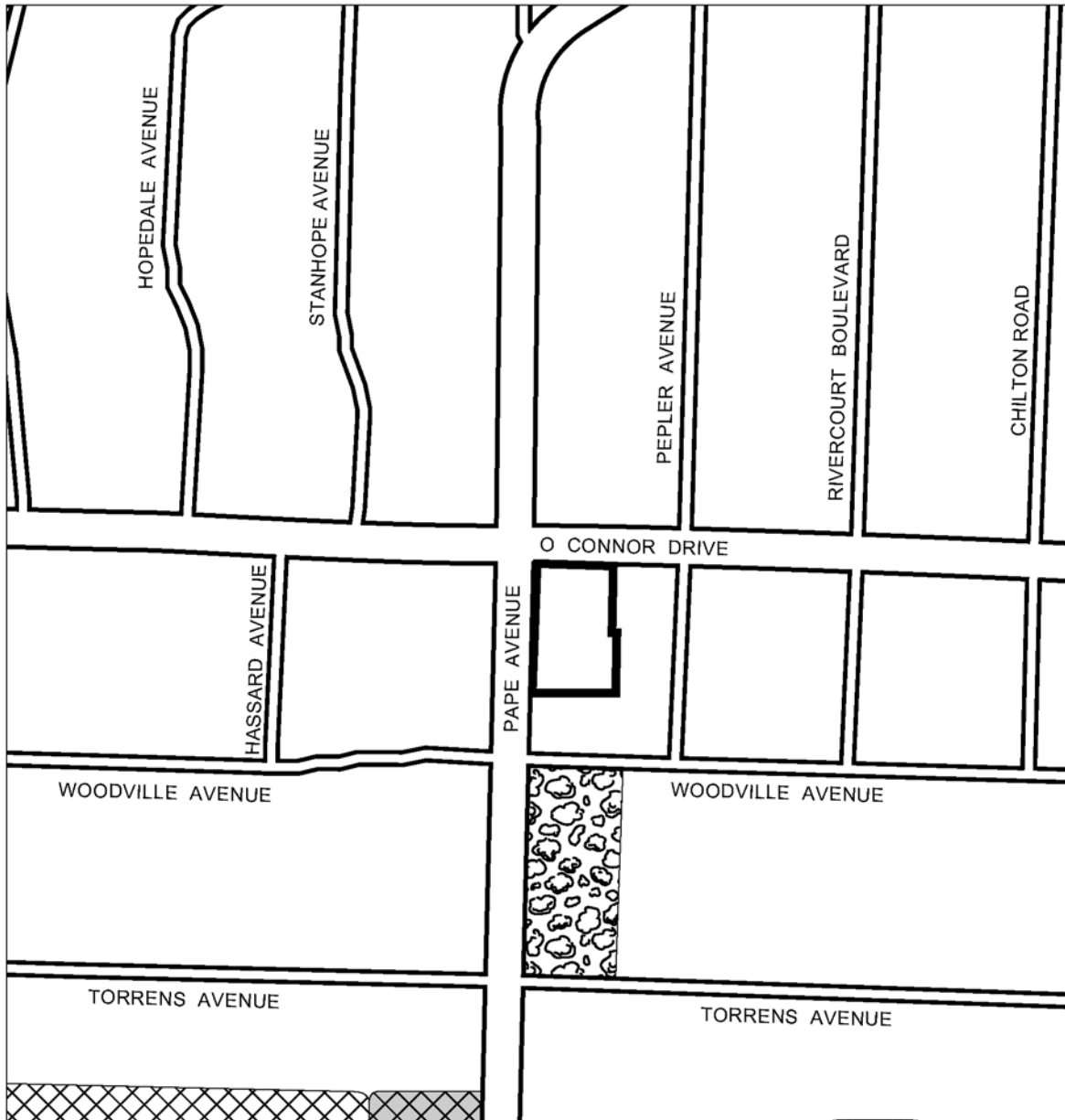
1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 380 for lands known municipally in 2014 as 125, 129 & 131 O'Connor Drive and 1119 & 1121 Pape Avenue, as follows:

498. 125, 129 & 131 O'Connor Drive and 1119 & 1121 Pape Avenue

A commercial building consisting of retail, service and office uses with a total gross floor area of 2,000 square metres is permitted

2. Map 29, Site and Area Specific Policies, is amended to show the lands known municipally in 2014 as 125, 129 & 131 O'Connor Drive and 1119 & 1121 Pape Avenue as applicable to Site and Area Specific Policy No. 498.





**Toronto** City Planning  
**Official Plan Amendment #323**

Revisions to Land Use Map 18 to add Site and Area Specific Policy 498 for the lands municipally known as 125, 129 & 131 O'Connor Drive and 1119 & 1121 Pape Avenue.

125, 129 & 131 O'Connor Drive and  
 1119 & 1121 Pape Avenue

File # 13 178851 STE 29 02



Not to Scale  
 01/09/2015

## **Attachment 8: Draft Zoning By-law Amendment**

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To amend former Borough of East York Zoning By-law No. 6752, as amended, with respect to the lands municipally known in the year 2014 as, 125, 129 & 131 O'Connor Drive and 1119 & 1121 Pape Avenue**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended to pass this By-law; and

WHEREAS Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The lands subject to this By-law are those lands outlined by a heavy black line and identified as “Area Subject to Amendment” as shown on Diagram “1” attached hereto.
2. Diagram “1” to former Borough of East York Zoning By-law No. 6752, as amended, is hereby further amended by changing the zoning category for the lands identified as “Area Subject to Amendment” from “R1C (Low Density Residential) Zone” to “CA (Commercial Site Specific) Zone.”
3. Former Borough of East York Zoning By-law No. 6752, as amended, is hereby further amended by adding a new Section 8.A.25 immediately after Section 8.A.24 of the By-law as follows:

**8.A.25 125, 129 & 131 O'Connor Drive and 1119 & 1121 Pape Avenue (CA.25)**

- a) The permitted uses of the lands located at the southeast corner of the intersection of Pape Avenue and O'Connor Drive and municipally known as 125, 129 & 131 O'Connor Drive and 1119 & 1121 Pape Avenue are as follows: Business and Professional Offices, Financial Institution, Restaurants, Restaurant Take-Outs, Retail Store, Convenience Retail Store, Retail Service, Food Store Custom Workshop, Drug Store, Health and Fitness Club, Personal Service Shop, Pet Services, Outdoor Sales or Display, Veterinary Hospital and a Clinic.



- b) The permitted uses for development with a building shall be subject to all of the following regulations:
- |   |                         |
|---|-------------------------|
| i) Maximum Gross Floor Area   | 2,000 m <sup>2</sup>    |
| ii) Maximum Floor Space Index   | 0.95 times the lot area |
| iii) Maximum Number of Storeys  | 2 storeys               |
| iv) Maximum Building Height   | 11 metres               |
| v) Minimum Number of On-Site Parking Spaces<br>(for all permitted uses) | 19 spaces               |
| vi) Minimum Number of On-Site Loading Spaces                            | 1 space (Type "B")      |
| vii) Minimum Number of Bicycle Spaces                                   | 10 spaces               |
| viii) Minimum Lot Area  | 2,104 square metres     |
| ix) Minimum Setback of all Buildings & structures                       | As shown on Diagram 2   |

#### **4. Use Restrictions**

- a) Despite any provision of this By-law or By-law No. 6752, a Day Nursery, a Tattoo Parlour, Adult Entertainment Parlours and the keeping and having of any skill and chance, or part skill and part chance which are operated or activated in whole or part by or with mechanical or electrical means, shall be prohibited.
- b) All uses shall be located within a wholly enclosed Building. Open Outside Storage of goods, materials, equipment and outdoor display of merchandise, whether accessory to a permitted use or not, shall be prohibited. This provision shall not however apply to the temporary outside display of goods or materials being offered for sale during the hours of operation of the commercial uses on the subject lands.
- c) There shall be no roof signs.
- d) The basement of the building shall be used only for ancillary purposes.

#### **5. Other Provisions**

Nothing in Section 3, 8.A.25.(b) (iv) shall prevent:

- a) Building elements, equipment or Structures that are used for the functional operation of the Building, such as stair towers, elevator overruns, mechanical penthouses, roof access, vents, towers, antennas, maintenance equipment, storage and water supply facilities provided that the maximum height of the top of the Building element or Structure is no higher than the sum of 3.5 metres and the Height following the symbol "(H)" on Diagram 2, provided that the Building element, equipment or Structures does not exceed 40 percent of the roof area;
- b) Parapet walls shall have a maximum vertical projection of 0.6 metres;
- c) Cornices, lighting fixtures, window washing equipment, vents, awnings, canopies, ornamental elements, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, wheelchair ramps, fences, retaining walls, terraces, landscape and public art

features and safety or wind protection, all of which may project to a maximum of 1.5 metres beyond the heavy lines shown on Map 2 other than *lot* boundary lines.

6. Within the lands shown on Diagram "1" attached to this By-law, no person shall use and land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

7. Division of Lands:

Notwithstanding any existing or future severance or division of the lands subject to this exception, the regulations of the exception shall continue to apply to the whole of the lands.

8. Height shall be measured from the Canadian Geodetic Datum elevation of 126.15 metres.

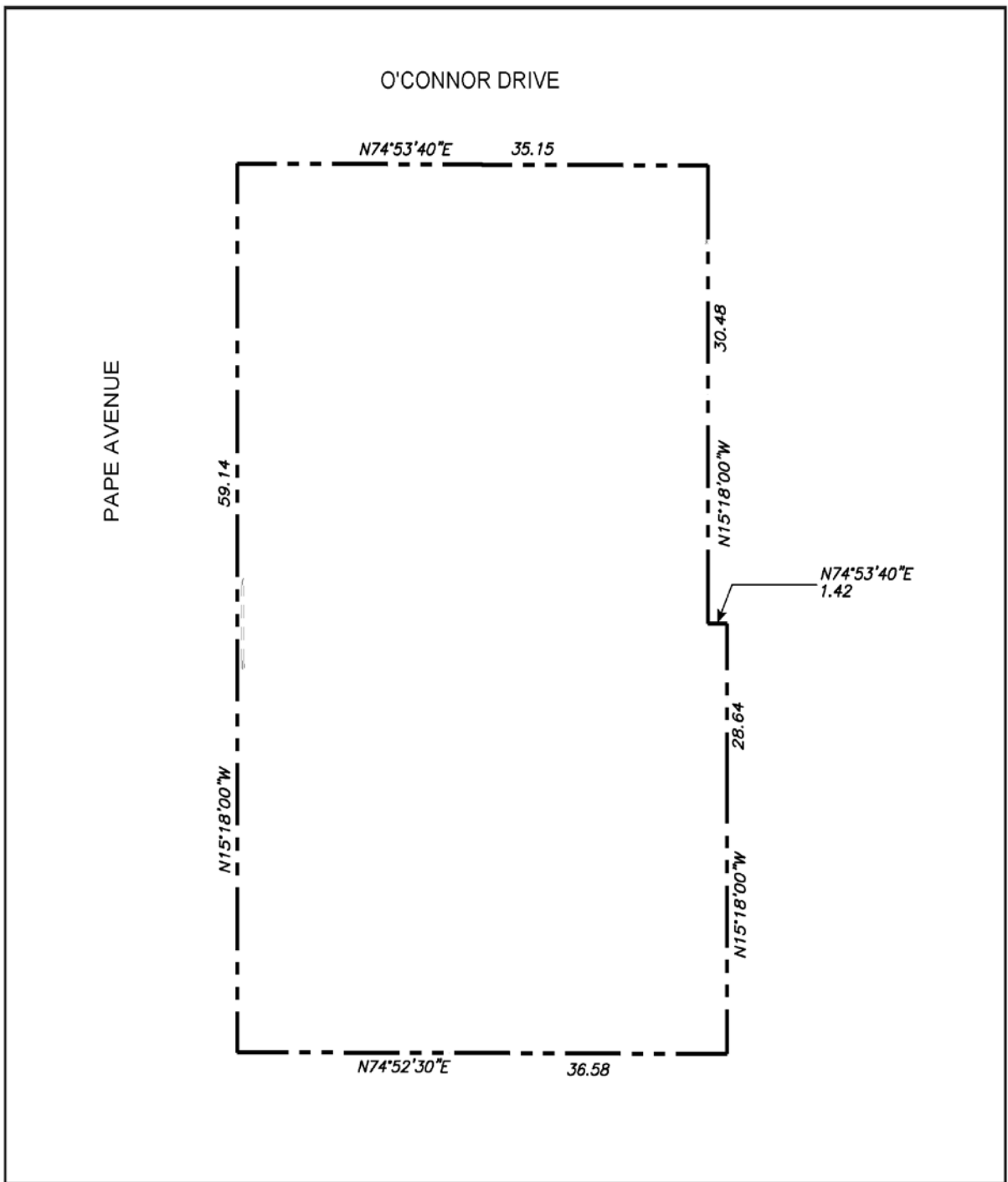
9. Except as amended in this By-law, all other provisions of the former Borough of East York Zoning By-law No. 6752, as amended, shall apply to the lands referred to in Section 8.A.25.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



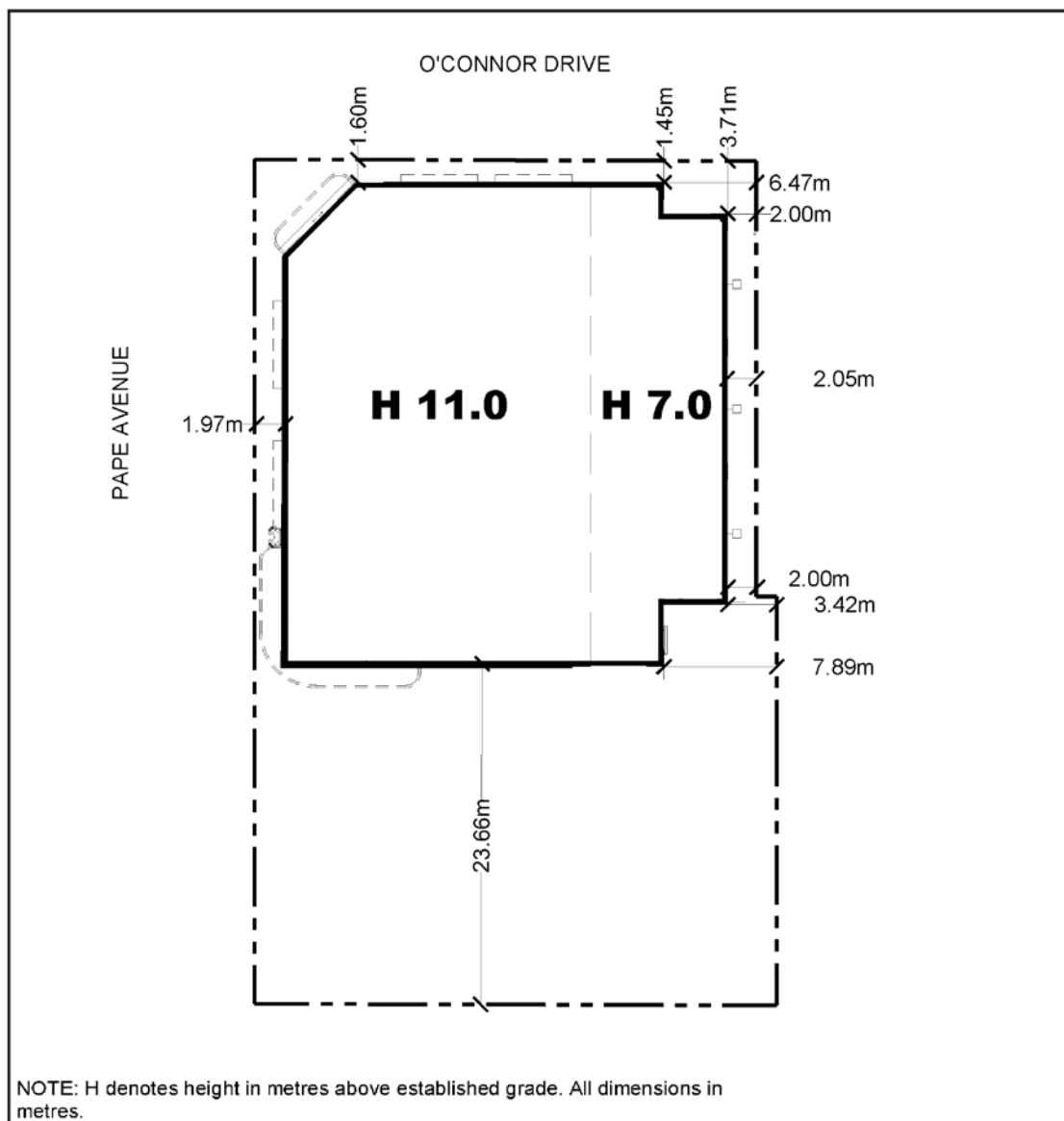
125,129 & 131 O'Connor  
Drive and 1119 & 1121 Pape  
Avenue

Diagram 1

File #: 14 178851 STE 29 OZ



Not to Scale  
1/09/2015



**Toronto** City Planning

## Diagram 2

**125,129 & 131 O'Connor  
Drive and 1119 & 1121 Pape  
Avenue**

File #: 14 178851 STE 29 OZ



Not to Scale  
1/09/2015

## **Attachment 9: Draft Zoning By-Law Amendment to By-Law 569-2013**

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To amend former City of Toronto Zoning By-law No. 569-2013, as amended,  
with respect to the lands municipally known as,  
125, 129 & 131 O'Connor Drive and 1119 & 1121 Pape Avenue**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended to pass this By-law;

WHEREAS Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 for the lands outlined by heavy black lines to CL (x2), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20.1 for the lands subject to this By-law, from a height label of HT8.5, to HT11, ST 2 as shown on Diagram 2 attached to this By-law.
5. Zoning By-law No. 569-2013, as amended, is further amended by amending the Lot Coverage Overlay Map in Section 995.30.1 for the lands subject to this By-law, from a lot coverage label of 35%, to no lot coverage.
6. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.10.10 **[Clerks to supply by-law ##]**, Exception Number 2 so that it reads:

### **Exception CL (x2)**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 125, 129 & 131 O'Connor Drive and 1119 & 1121 Pape Avenue, if the requirements of by-law [Clerks to supply by-law ##] are complied with then none of the provisions of 5.10.40.70, 30.20.20.10, 30.20.20.100 (1),(3),(7),(8),(9),(12),(13),(15),(16),(17),(18),(19), 30.20.30.20 (1), 30.20.30.40 (1), 30.20.40.10(1), 30.20.40.40(1), 30.20.40.60(1),(2),(3),(4),(5),(6),(7),(8),(9), 30.20.40.70(1),(2),(3),(4), 30.20.40.80(1)(a),(1)(b), 30.20.50.10(1), 30.20.80.20(1),(2),(3), 30.20.90.10(1)(a),(1)(b),(1)(c),

Table 200.5.10.1, 220.5.10.1(3),(4),(5), 230.5.1.10(9), and 230.5.10.1(1) apply to prevent the erection or use of a **building, structure**, addition or enlargement permitted in By Law [Clerks to supply by-law ##];

- (B) Subject to the conditions in clause 30.20.20.100, the only permitted uses are: **Financial Institution, Automated Banking Machine, Massage Therapy, Medical Office, Office, Personal Service Shop, Pet Services, Retail Service, Service Shop, Veterinary Hospital, Wellness Centre, Eating Establishment, Retail Store, Take-out Eating Establishment, Outdoor Sales or Display;**
- (C) The height of any **building** or **structure**, must not exceed the height in metres specified by the numbers following the symbol H on Diagram 3 of By-law [Clerks to supply by-law ##];
- (D) Height shall be measured from the Canadian Geodetic Datum elevation of 126.15 metres.
- (E) Despite Section (C) and (D), the following **building** elements and **structures** are permitted to extend above the heights shown on Diagram 3 of By-law [Clerks to supply by-law ##] and may encroach into a required **building** setback as follows:
- (a) Cornices, eaves, lighting fixtures, window washing equipment, vents, awnings, canopies, ornamental elements, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, wheelchair ramps, fences, retaining walls, terraces, landscape and public art features and safety or wind protection, all of which may project to a maximum of 1.5 metres beyond the heavy lines shown on Map 3 other than **lot** lines;
  - (b) Parapets may project a maximum of 0.6 metres above the maximum height;
  - (c) **Building** elements, equipment or **structures** that are used for the functional operation of the **building**, such as stair towers, elevator overruns, mechanical penthouses, roof access, vents, towers, antennas, maintenance equipment, storage and water supply facilities provided that the maximum height of the top

of the **building** element or **structure** is no higher than the sum of 3.5 metres and the Height following the symbol "(H)" on Diagram 3, provided that the **building** element, equipment or structure does not exceed 40% of the roof area;

- (F) The total **gross floor area** on the **lot** must not exceed 2,000 square metres for all **buildings**;
- (G) The total **floor space index** on the **lot** must not exceed 0.95 times the **lot area**;
- (H) The maximum permitted number of **storeys** is two (2);
- (I) A minimum of 19 **vehicular parking spaces** must be provided on-site, in accordance with Table 200.5.10.1, Policy Area 4 (PA4) parking standards;
- (J) A minimum of 10 **bicycle parking spaces** must be provided on-site;
- (K) One type "B" **loading space** must be provided on-site;
- (L) The minimum setbacks of all **buildings** and **structures** are shown on Diagram 3;
- (M) The **basement** of the **building** can only be used for **ancillary** purposes.

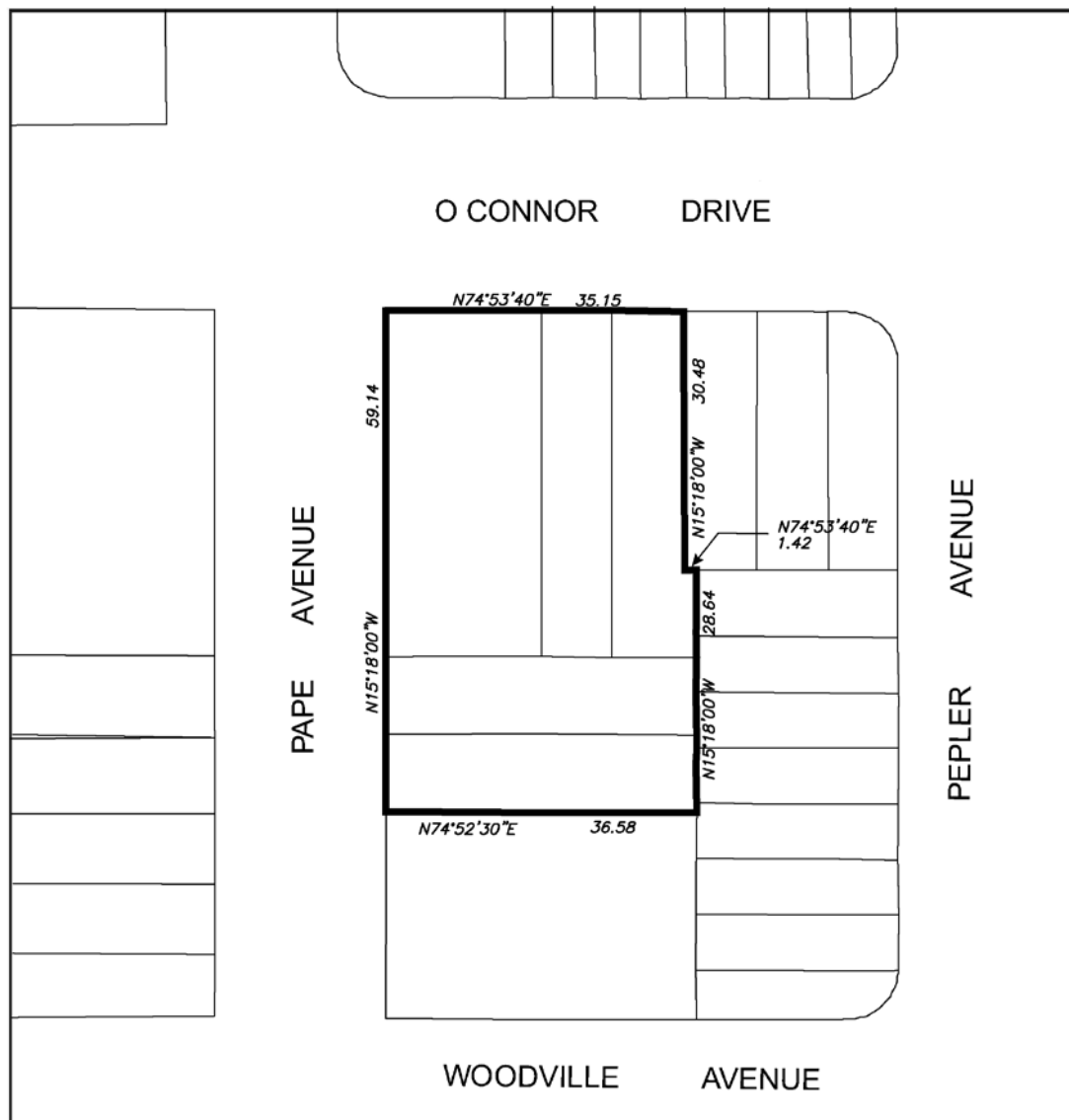
Prevailing By-laws and Prevailing Sections: (None Apply)

ENACTED AND PASSED this ~ day of ~, A.D. 20XX.

Name,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



**Toronto** City Planning

Diagram 1

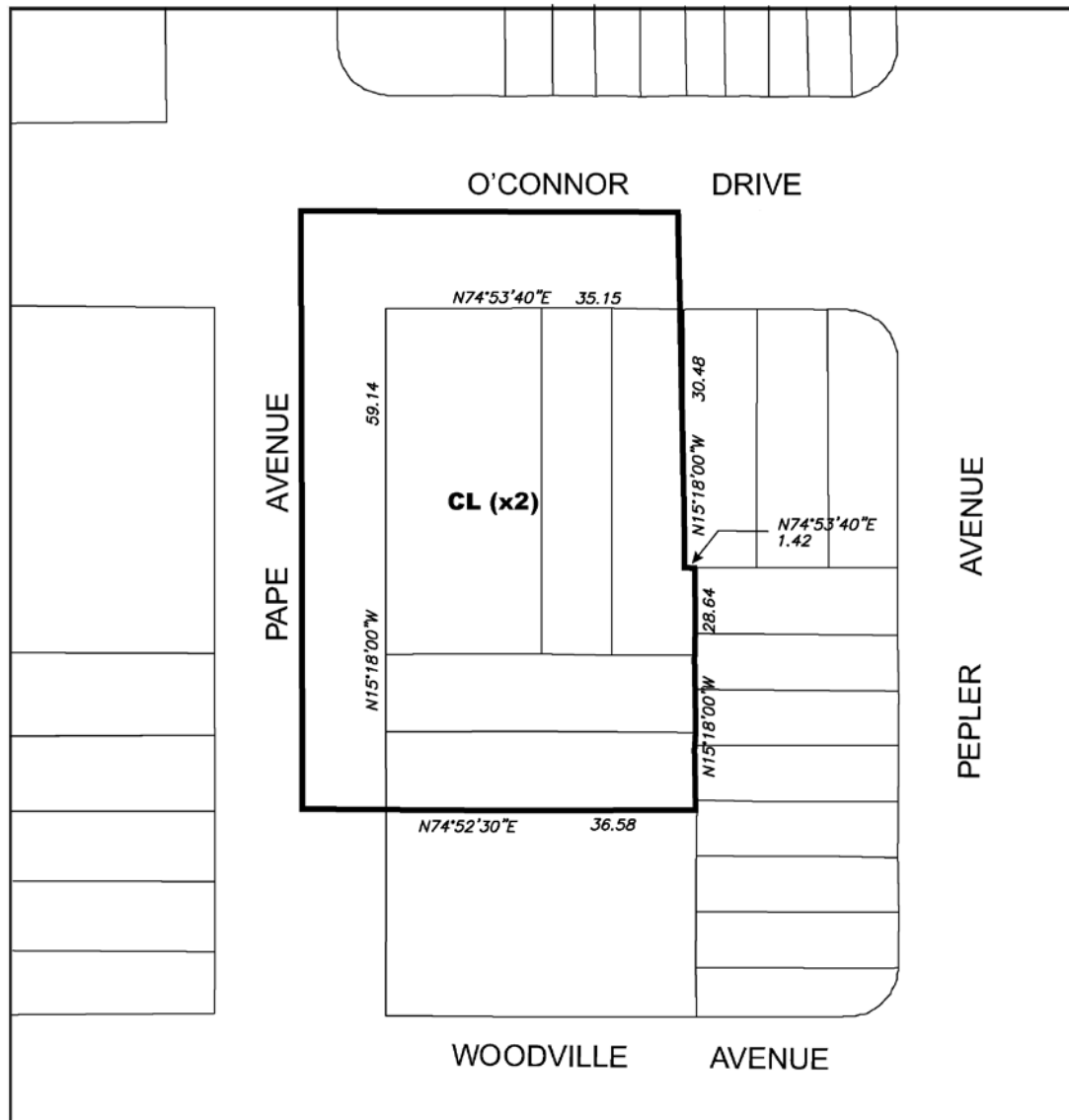
125, 129 & 131 O'Connor Drive and  
1119 & 1121 Pape Avenue

File #: 14 178851 STE 29 OZ



Not to Scale  
1/09/2015





**Toronto** City Planning

Diagram 2

125, 129 & 131 O'Connor Drive and  
1119 & 1121 Pape Avenue

File #: 14 178851 STE 29 OZ



Not to Scale  
1/09/2015

